

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DARNELL F. WILLIAMS,

Plaintiff,

v.

Case No. 19-C-1873

KENNY DAY, et al.,

Defendants.

ORDER

Plaintiff Darnell Williams, who is currently incarcerated at Dodge Correctional Institution (DCI) and representing himself, filed a complaint under 42 U.S.C. § 1983, alleging that staff at the Racine Correctional Institution violated his civil rights. Defendants moved for summary judgment on October 20, 2020. Dkt. No. 18. Plaintiff was relocated to DCI on October 23, 2020, and claims that he does not have a copy of Defendants' motion. This matter is before the court on Plaintiff's motion for an extension of time to respond to Defendants' summary judgment motion and his request for copies of Defendants' motion and related documents. Dkt. No. 32.

Counsel for Defendant filed a Certificate of Service certifying that they mailed copies of Defendants' summary judgment motion and supporting documents to Plaintiff at the Milwaukee House of Corrections on October 20, 2020, and again on November 9, 2020, at DCI. Dkt. Nos. 18-1, 33. Given the delay in service caused by Plaintiff's transfer and recognizing that there can be delays in prison mail service, the court will grant Plaintiff's request for an extension to respond to Defendants' motion. Plaintiff must respond to Defendants' motion for summary judgment no later than December 18, 2020.

The court notes that Plaintiff has also filed a motion for summary judgment. Dkt. No. 34. In recognition of the delays caused by COVID-19 and the pending holidays, the court will *sua sponte* grant an extension to allow Defendants to submit a combined reply to Plaintiff's response to their motion for summary judgment (Dkt. No. 32) and response to Plaintiff's motion for summary judgment (Dkt. No. 34) should they so choose. Whether combined or separate, the reply (if any) and response will be due January 8, 2021.

Plaintiff also requests that the court return to him copies of conduct reports he submitted as attachments to his own motion for summary judgment, citing they are his only copies. Dkt. No. 35. The Clerk of Court will return the documents in this instance, but Plaintiff is hereby warned that it is his responsibility to maintain copies of all documents that he files with the court. Once filed, documents are a part of the court record and are not returned to parties as a routine matter. DCI participates in the Prisoner E-File Project; therefore Plaintiff should submit all future filings through the Prisoner E-File program.

IT IS HEREBY ORDERED that Plaintiff's motion for an extension (Dkt. No. 32) is **GRANTED**. Plaintiff must respond to Defendants' motion for summary judgment no later than December 18, 2020, and Defendants' reply, if any, will be due by January 8, 2021.

Dated at Green Bay, Wisconsin this 12th day of November, 2020.

s/ William C. Griesbach

William C. Griesbach
United States District Judge